

# SENATE MOTION

**MR. PRESIDENT:**

**I move** that Engrossed House Bill 1215 be amended to read as follows:

- 1 Delete everything after the enacting clause and insert the following:
- 2 "SECTION 1. IC 27-13-18-2, AS AMENDED BY
- 3 P.L.192-2002(ss), SECTION 170, IS AMENDED TO READ AS
- 4 FOLLOWS: Sec. 2. *Effective 1-1-2003.* (a) If for any reason the plan
- 5 of the health maintenance organization under IC 27-13-16 does not
- 6 provide for continuation of benefits as required by IC 27-13-16-1, the
- 7 liquidator shall assess, or cause to be assessed, each licensed health
- 8 maintenance organization doing business in Indiana. The amount that
- 9 each licensed health maintenance organization is assessed must be
- 10 based on the ratio of the amount of all subscriber premiums received
- 11 by the health maintenance organization for contracts issued in Indiana
- 12 for the previous calendar year to the amount of the total subscriber
- 13 premiums received by all licensed health maintenance organizations for
- 14 contracts issued in Indiana for the previous calendar year.
- 15 (b) The total assessments of health maintenance organizations under
- 16 subsection (a) must equal an amount sufficient to provide for
- 17 continuation of benefits as required by IC 27-13-16-1 to enrollees
- 18 covered under contracts issued by the health maintenance organization
- 19 to subscribers located in Indiana, and to pay administrative expenses.
- 20 (c) The total amount of all assessments to be paid by a health
- 21 maintenance organization in any one (1) calendar year may not exceed
- 22 one percent (1%) of the premiums received by the health maintenance
- 23 organization from business in Indiana during the calendar year
- 24 preceding the assessment.
- 25 (d) If the total amount of all assessments in any one (1) calendar
- 26 year does not provide an amount sufficient to meet the requirements of
- 27 subsection (a), additional funds must be assessed in succeeding
- 28 calendar years.
- 29 (e) Health maintenance organizations that, during any preceding
- 30 calendar year, have paid one (1) or more assessments levied under this
- 31 section may either:
- 32 (1) take as a credit against adjusted gross income taxes or similar

1 taxes upon revenue or income of health maintenance  
2 organizations that may be imposed by Indiana up to twenty  
3 percent (20%) of any assessment described in this section for each  
4 calendar year following the year in which those assessments were  
5 paid until the aggregate of those assessments have been offset; or  
6 (2) include in the premiums charged for coverage to which this  
7 article applies amounts sufficient to recoup a sum equal to the  
8 amounts paid in assessments as long as the premiums are not  
9 excessive by virtue of including an amount reasonably calculated  
10 to recoup assessments paid by the health maintenance  
11 organization.

12 **(f) The department may not assess medicaid premiums under**  
13 **this section."**

(Reference is to EHB 1215 as printed March 21, 2003.)

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Senator MILLER